



2181

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/704,458
		Filing Date	November 1, 2000
		First Named Inventor	Kent Erickson
		Group Art Unit	2181
		Examiner Name	Unassigned
Total Number of Pages in This Submission	74	Attorney Docket Number	3239P085

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Technology Center 2100

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Form SB/08 and 65 cited references</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 19, 2002

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail with sufficient postage in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on: July 19, 2002			
Typed or printed name	Corrinn R. Reynolds		
Signature		Date	July 19, 2002



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number 09/704,458
Filing Date November 1, 2000
First Named Inventor Kent Erickson
Examiner Name Unassigned
Group/Art Unit 2181
Attorney Docket No. 3239p085

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METHOD OF PAYMENT (check one)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account

Deposit Account Number 02-2666
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					

2. EXTRA CLAIM FEES

Total Claims * = X =
Independent Claims * = X =
Multiple Dependent * = X =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple Dependent claim, if not paid	
109	84	209	42	**Reissue independent claims over original patent	
110	18	210	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					

*or number previously paid, if greater. For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920 *	112	920 *	Requesting publication of SIR prior to Examiner action	
113	1,840 *	113	1,840 *	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) William W. Schaal Registration No. 39,018 Telephone (714) 557-3800
Signature [Signature] (Attorney/Agent) Date 07/19/02

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Docket No.: 3239P085

44
7/31/02
SKM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 29 2002

In Re the Application of:

KENT ERICKSON, ET AL.

Application No.: 09/704,458

Filed: November 1, 2000

For: **Connection Protection Between Clients and
Optical Cross-Connect Switches**

Art Group: 2181

Technology Center 2100

Examiner: Unassigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

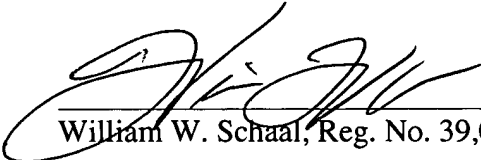
The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

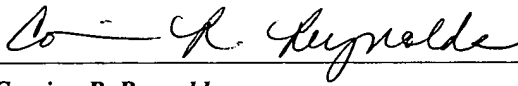
Date: July 19, 2002


William W. Schaal, Reg. No. 39,018

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
(714) 557-3800

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July 19, 2002


Corrin R. Reynolds

07-19-02

Date

Substitut for F rm 1449A/PTO (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number	09/704,458	
				Filing Date	11/1/2000	
				First Named Inventor:	Erickson, c	
				Group Art Unit	2181	
				Examiner Name	Unassigned	
				Attorney Docket Number	003239.P085	
U.S. PATENT DOCUMENTS						
Exam. Initial*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Code ²	Kind (If known)			
		4,365,863		Broussaud	12/28/1982	
		4,369,523		Seki, et al.	01/18/1983	
		4,563,774		Gloge	01/07/1986	
		4,580,873		Levinson	04/08/1986	
		4,797,879		Habbab, et al.	01/10/1989	
		4,817,014		Schneider, et al.	03/28/1989	
		4,843,382		Oda, et al.	06/27/1989	
		4,856,863		Sampsell, et al.	08/15/1989	
		4,859,012		Cohn	08/22/1989	
		4,886,335		Yanagawa, et al.	12/12/1989	
		4,903,225		Brost	02/20/1990	
		4,984,238		Watanabe, et al.	01/08/1991	
		5,037,173		Sampsell, et al.	08/06/1991	
		5,216,729		Berger, et al.	06/01/1993	
		5,260,819		Hadjifotiou, et al.	11/09/1993	
		5,349,550		Gage	09/20/1994	
		5,359,683		Pan	10/25/1994	
		5,440,654		Lambert, Jr.	08/08/1995	
		5,488,862		Neukermans, et al.	02/06/1996	

FOREIGN PATENT DOCUMENTS								
Exam. Initial*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (If known)				
			WO 0007945	A1	Nortel Networks Corp.	02/01/2001		
			WO0004671		Laor	01/27/2000		
			WO0013210	A2	XROS, Inc.	03/09/2000		
			WO0013210	A3	XROS, Inc.	03/09/2000		
			WO0020899	A2	XROS, Inc.	04/13/2000		
			WO0020899	A3	XROS, Inc.	04/13/2000		
			WO0163803	A1	XROS, Inc.	08/30/2001		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Substitut for Form 1449A/PTO (Modified) <h2 style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center;">(use as many sheets as necessary)</p>				Complete if Known		
				Application Number	09/704,458	
				Filing Date	11/1/2000	
				First Named Inventor:	Erickson, et al.	
				Group Art Unit	2181	
				Examiner Name	Unassigned	
				Attorney Docket Number	003239.P085	
U.S. PATENT DOCUMENTS						
Exam. Initial*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number known)	Kind Code ² (If known)			
		5,524,153		Laor	06/04/1996	
		5,535,293		Buchin	07/09/1996	
		5,539,328		Mirov, et al.	07/23/1996	
		5,608,735		McCullough, et al.	03/04/1997	
		5,629,790		Neukermans, et al.	05/13/1997	
		5,648,618		Neukermans, et al.	07/15/1997	
		5,694,389		Seki, et al.	12/02/1997	
		5,699,463		Yang, et al.	12/16/1997	
		5,719,903		Hiben, et al.	02/17/1998	
		5,727,098		Jacobson	03/10/1998	
		5,774,604		McDonald	06/30/1998	
		5,828,476		Bonebright, et al.	10/27/1998	
		5,864,643		Pan	01/26/1999	
		5,903,687		Young, et al.	05/11/1999	
		5,915,063		Colbourne, et al.	06/22/1999	
		5,942,937		Bell	08/24/1999	
		5,960,132		Lin	09/28/1999	
		6,002,818		Fatehi, et al.	12/14/1999	
		6,005,993		MacDonald	12/21/1999	
		6,069,924		Sudo, et al.	05/30/2000	

FOREIGN PATENT DOCUMENTS								
Exam. Initial*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (If known)				
			WO0171402		XROS, Inc.	09/27/2001		
			WO0150176	A1	Polatis Limited	07/12/2001		
			WO9963374		Laor	12/09/1999		
			WO9963531		Laor	12/09/1999		
			WO9966354		Laor	12/23/1999		
			WO9967666		Laor	12/29/1999		

Examiner Signature	Date Considered
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitut for Form 1449A/PTO (Modified)		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>		Application Number	09/704,458
		Filing Date	11/1/2000
		First Named Inventor:	Erickson, RECEIVED
		Group Art Unit	2181
		Examiner Name	Unassigned JUL 29 2002
		Attorney Docket Number	003239.P085
Sheet	4	of	
OTHER ART - NO PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		GUSTAFFSON, K. & HOK, B., A Batch-Processed Optical Scanner Proc. 12th Nordic Semiconductor, Meeting, Jevnaker (Oslo: Center for Industrial Research) pp. 282-5 (1986).	
		GUSTAFFSON, K. & HOK, B., Fiberoptic Switching and Multiplexing with a Micromechanical Scanning Mirror, Digest of Technical Papers 4th Int. Conf. on Solid State Sensors and Actuators (Tokyo: Institute of Electrical Engineers of Japan) pp. 212-5 (1987).	
		GUSTAFFSON, K. & HOK, B., a Silicon Light Modulator, Journal of Physics E. Scientific Instruments 21, pp. 608-5 (1998).	
		LIN L.Y., et al., Free-Space Micromachined Optical-Switching Technologies and Architectures, OFC/100C '99, February 21-26, 1999.	
		LIN, L.Y., et al., Free-Space Micromachined Optical-Switching Technologies and Architectures, OFC/100C '99, February 21-26, 1999.	
		LAOR, H., et al., Performance of a 576 x 576 optical cross connect, NFOEC-99.	

Examiner Signature		Date Considered	
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